

Prior law generally exempted from seizure all pensions, annuity policies, individual retirement accounts, Keogh plans, employee pension plans, and other plans under specified sections of the Internal Revenue Code.

Prior law provided that contributions are not exempt if made less than one calendar year from the date of filing for bankruptcy, whether voluntary or involuntary, or less than one calendar year from the date writs of seizure are filed against such account or plan.

New law specifically provides that all tax-deferred arrangements, annuity contracts, and all proceeds and payments under tax-deferred arrangements and annuity contracts are included within those types of individual retirement accounts or individual retirement annuities exempt from seizure.

New law defines the term "tax-deferred arrangement" to include all individual retirement accounts or individual retirement annuities of any variety or name, whether authorized now or in the future in the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States income tax law), including balances rolled over from any tax-deferred arrangement, money purchase pension plans, defined benefit plans, defined contribution plans, Keogh plans, simplified employee pension (SEP) plans, simple retirement account (SIMPLE) plans, or any other plan of any variety or name, whether authorized now or in the future in the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States income tax law) under which U.S. income tax earnings in the tax-deferred arrangement is deferred.

New law defines the term "annuity contract" to include any contract: (1) which is issued by a life insurance company licensed to provide the contract in the state in which it was issued at the time of issue; (2) states on its face or anywhere within the terms of the contract that it is an "annuity" including but not limited to an immediate, deferred, fixed, equity indexed, or variable annuity, irrespective of current pay status or any other definition of "annuity" in Louisiana law; (3) provides the contract owner the ability to defer United States income taxes on any interest earned and not distributed to the owner; (4)